

Following de novo review, the Court concurs in the recommendation of the Magistrate Judge. as contained in the well-reasoned and thorough Report and Recommendation. Petitioner’s objections are overruled.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of United States Magistrate Judge is **sustained, adopted and incorporated** herein. [Doc. 20]

IT IS FURTHER ORDERED that Russell Lee Epperson's Petition for Writ of Habeas Corpus pursuant to Title 28 U.S.C. § 2254 is **DENIED**. [Doc. 1]

IT IS FURTHER ORDERED that this matter is **DISMISSED**, with no further action to take place herein.

An appropriate judgment will accompany this order.

A handwritten signature in cursive script, reading "Charles A. Shaw", written in black ink.

CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 5th day of September, 2008.